



CITY COMMISSION MEETING AGENDA

City Hall, 125 South Maple Street, Fennville, MI 49408
Monday, April 6, 2020
7:00 p.m.

In light of the recent orders to limit social interactions due to COVID-19, the City Commission will allow for participation through a virtual meeting site or by telephone. To access the meeting visit:

Join Zoom Meeting
<https://zoom.us/j/760465010>

Meeting ID: 760 465 010

One tap mobile
+13126266799,,760465010# US (Chicago)

Dial by your location
+1 312 626 6799 US (Chicago)

As always, citizens can also submit their comments in writing by 6:30 p.m. by:

Email to amorgan@fennville.com

Drop Box located on the parking lot side of City Hall

By mail to PO Box 666, Fennville, MI 49408

AGENDA

1. **Call to Order/Roll Call**
2. **Pledge of Allegiance**
3. **Approval of Agenda**

4. **Public Comments**

During this time, members of the public will be given an opportunity to speak on items not on the agenda. Please remember that comments are limited to 5 minutes and should be directed toward the Mayor. If you wish to speak to an item on the agenda, you will be given the chance to do so before the Commission discusses the item.

5. **Approval of the following City Commission Minutes:**

- Regular Meeting: [March 16, 2020](#) – Click Link to access draft minutes online.

6. **Reports & Minutes**

- none

NEW BUSINESS

7. **The City Commission will be asked to introduce an ordinance to rezone the property located at 552 Third Street from R-1 Single Family Residential to I-2 General Industrial District.**

8. The City Commission will be asked to introduce an ordinance to partially rezone the property located at 222 S Maple Street from OS-1 Office Service District to B-2 General Business District.

UNFINISHED BUSINESS

9. The City Commission will be asked to discuss the Planning Commission's action to not recommend a draft ordinance to prohibit recreational marihuana in the CBD.

10. Reports of Standing Committees:

- a. Finance/Personnel: *Mayor, Machan, Suerth*
- b. City Services (Police, Ambulance & Fire): *Machan, Suerth, Jamros*
- c. City Properties: *Jamros, Bolles*
- d. Ordinances/Community Relations: *Hayden, Almquist*
- e. Planning: *Bolles, Suerth*
- f. Administrative/DDA: *Mayor, Almquist, Bolles*

11. Miscellaneous

12. City Administrator Report

13. Approval of Bills

- Bill detail will be available by 3 p.m. on meeting day. The information will be emailed to Commissioners and the online agenda packet will be updated to include the information.

14. Adjournment

Memo

DATE: April 3, 2020
TO: City Commission
FROM: Amanda Morgan
City Administrator
SUBJECT: Agenda Item 7: Rezoning 552 Third Street

The City Commission will be asked to introduce an ordinance to rezone the property located at 552 Third Street from R-1 Single Family Residential to I-2 General Industrial District

Background Information

The City received an application to rezone the property located at 552 Third Street and the Planning Commission held a public hearing on the request during a meeting on Monday, March 23, 2020. Following the public hearing, the Planning Commission recommended the City Commission approve the rezoning.

The approval of an ordinance is a two-step process. Once the ordinance is introduced, it can be considered for approval at a subsequent meeting.

Attachment(s)

- Lot Information from MTS
- Ordinance for Rezoning

Recommended Action

Motion to introduce an ordinance to rezone the property located at 552 Third Street from R-1 Single Family Residential to I-2 General Industrial District

Memorandum: City of Fennville Planning Commission
Date: March 16, 2020
From: Tasha Smalley, Zoning Administrator
RE: Rezone – R1 Single Family to I-2 General Industrial District

Owner: John Lorenz; purchase agreement with Peter Palazzolo
Owner Address: P.O. Box 8011, Holland
413 E 3rd St, Fennville

Property Address: 552 E Third Street
Parcel #: 0352-032-048-00

Legal Description: THAT PART OF SE 1/4 SE 1/4 LYING NW OF PMRR SEC 32 T3N R15W.

R-1 Single Family Residence District

6.5 Area Regulations

Minimum lot area 12,800 sq ft
Minimum lot width 80 sq ft
Front setback 30 ft
Side setback total 20, one side no less than 8 ft
Rear setback 20 feet
Maximum building height 35 ft
Lot coverage 35%

I-2 General Industrial District

17.6 Area Regulations

Minimum lot area 20,000 sq ft
Minimum lot width 100 ft
Front setback 50 ft
Side setback 30 ft
Rear setback 50 ft
Max building height 35 ft
Lot coverage 50%

Analysis

Property 0352-032-048-00 is a legal pre-existing conforming lot of record
Lot area triangle shaped, approx 230x265x345, 0.85 acre

Property is vacant.

The applicant is requesting a rezoning of whole parcel.

The future land use map designates this parcel as T-IR Transitional Industrial/Residential.

**CITY OF FENNVILLE
ALLEGAN COUNTY, MICHIGAN**

ORDINANCE NO. _____
ADOPTED: _____
EFFECTIVE: _____

An Ordinance to amend the City of Fennville Zoning Ordinance (including the zoning map) by rezoning a property located at 552 E Third Street from R-1 Single Family Residence District to I-2 General Industrial District, to repeal all ordinances or parts of ordinances in conflict herewith and to establish the effective date of said Ordinance.

**CITY OF FENNVILLE
ALLEGAN COUNTY, MICHIGAN**

ORDAINS:

SECTION I
REZONING OF PROPERTY FROM
R-1 SINGLE FAMILY RESIDENCE TO I-2 GENERAL INDUSTRIAL DISTRICT

The Zoning Map as incorporated by reference in the City of Fennville Zoning Ordinance is hereby amended by rezoning the following parcel:

0352-032-048-00 552 E Third Street, Fennville:
THAT PART OF SE ¼ LYING NW OF PMRR SEC 32 T3N R15W

The official City of Fennville Zoning Map, as incorporated in the City Zoning Ordinance, is hereby amended to reflect the “I-2” General Industrial District Zoning District for the above described real property.

SECTION II
SEVERABILITY

Should any provision or part of the within Ordinance be declared by any court of competent jurisdiction to be invalid or unenforceable, the same shall not affect the enforceability of the balance of this Ordinance which shall remain in full force and effect.

SECTION III
REPEAL

All ordinances or parts of ordinances in conflict herewith are hereby repealed.

SECTION VI
EFFECTIVE DATE

This Ordinance shall take effect eight days following publication after adoption.

Amanda Morgan
City Administrator

Memo

DATE: April 3, 2020

TO: City Commission

FROM: Amanda Morgan
City Administrator

SUBJECT: Agenda Item 8: Rezoning 222 S Maple Street

The City Commission will be asked to introduce an ordinance to partially rezone the property located at 222 S Maple Street from OS-1 Office Service District to B-2 General Business District.

Background Information

The City received an application to rezone the property located at 222 S Maple Street and the Planning Commission held a public hearing on the request during a meeting on Monday, March 23, 2020. Following the public hearing, the Planning Commission recommended the City Commission approve the rezoning.

It is important to note that this is only a partial rezoning request to rezone the east portion of the property where the old city hall building is located. The garage lot will remain zoned OS-1.

The approval of an ordinance is a two-step process. Once the ordinance is introduced, it can be considered for approval at a subsequent meeting.

Attachment(s)

- Lot Information from MTS
- Ordinance for Rezoning

Recommended Action

Motion to introduce an ordinance to partially rezone the property located at 222 S Maple Street from OS-1 Office Service District to B-2 General Business District.

Memorandum: City of Fennville Planning Commission
Date: March 16, 2020
From: Tasha Smalley, Zoning Administrator
RE: Rezone – OS-1- Office to B-2 General Business

Owner: City of Fennville; purchase agreement with Patricia Dewenter
Owner Address: 125 S Maple Street, Fennville MI 49408 /
1198 52nd St SW, Wyoming MI 49509

Property Address: 222 S Maple Street (*partial area*)

Parcel #: 0352-005-040-00

Legal Description: COM 33 FT S OF SW COR LOT 8 COOK & BARRON'S ADDITION S 99 FT E
198 FT N 99 FT W 198 FT TO BEG SEC 5 T2N R15W. – East parcel of survey prepared 03/22/2020.

OS-1 Office Service District

14.5 Area Regulations

Minimum lot area 8,000 sq ft
Minimum lot width 66 sq ft
Front setback 0 ft
Side setback 0 ft
Rear setback 10 feet
Maximum building height 35 ft
Lot coverage 75%

B-2 General Business District

12.5 Area Regulations

Minimum lot area 10,000 sq ft
Minimum lot width 80 ft
Front setback 0 ft
Side setback 0 ft
Rear setback 10 ft
Max building height 35 ft
Lot coverage 100%

Analysis

Property 0352-005-040-00 is a legal pre-existing conforming lot of record
Lot area approx 200x100; 20,000 sq ft

1 building – approx 3500+ sq ft

The applicant is requesting a PARTIAL rezoning; approx 100x100. The remaining
100x100 will remain OS-1, and owned by the City of Fennville.

The future land use map originally designated this parcel as R3 High Density Res but was
amended to show this parcel as B-2 General Business District.

**CITY OF FENNVILLE
ALLEGAN COUNTY, MICHIGAN**

ORDINANCE NO. _____
ADOPTED: _____
EFFECTIVE: _____

An Ordinance to amend the City of Fennville Zoning Ordinance (including the zoning map) by rezoning a portion of property located at 222 S Maple Street from OS-1 – Office District to B-2 General Business District, to repeal all ordinances or parts of ordinances in conflict herewith and to establish the effective date of said Ordinance.

**CITY OF FENNVILLE
ALLEGAN COUNTY, MICHIGAN**

ORDAINS:

SECTION I
REZONING OF PROPERTY IN COOK AND BARRON’S ADDITION FROM
OS-1 – OFFICE DISTRICT TO B-2 GENERAL BUSINESS DISTRICT

The Zoning Map as incorporated by reference in the City of Fennville Zoning Ordinance is hereby amended by partial rezoning the following parcel:

0352-005-040-00 222 S Maple Street, Fennville:

The official City of Fennville Zoning Map, as incorporated in the City Zoning Ordinance, is hereby amended to reflect the “B-2” General Business District Zoning District for the above described real property.

SECTION II
SEVERABILITY

Should any provision or part of the within Ordinance be declared by any court of competent jurisdiction to be invalid or unenforceable, the same shall not affect the enforceability of the balance of this Ordinance which shall remain in full force and effect.

SECTION III
REPEAL

All ordinances or parts of ordinances in conflict herewith are hereby repealed.

SECTION VI
EFFECTIVE DATE

This Ordinance shall take effect eight days following publication after adoption.

Amanda Morgan
City Administrator

MEMO

DATE: April 3, 2020
TO: City Commission
FROM: Amanda Morgan
City Administrator
SUBJECT: Agenda Item 9: Recreational Marihuana in CBD

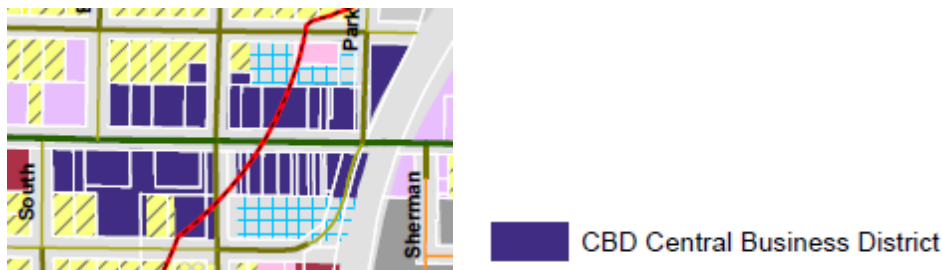
On February 3, 2020 the City Commission formally adopted a licensing ordinance related to recreational marihuana establishments. During that same meeting, the City Commission asked that the Planning Commission draft an ordinance to prohibit recreational marijuana facilities within the Central Business District.

The requested prohibition would require an amendment to the text of the zoning ordinance separate from the licensing previously adopted. Staff proposed adding a section to the language of Section 18 regarding the Central Business identifying the prohibition.

A zoning text amendment requires a public hearing which must be noticed in the newspaper for at least 15 days prior to the hearing. During a meeting on Monday, March 23, 2020 the Planning Commission reviewed the proposed language and held a public hearing regarding the proposed amendment.

After the Planning Commission heard public comments and held their own discussion, they took action to return the ordinance to the City Commission as Not Recommended by the Planning Commission.

Please remember that the City Commission has already approved the regulatory ordinance to allow for marihuana establishments within the City as long as they are 1000' away from the school. The proposed Ordinance would have only prohibited the establishments within the Central business District, not any of the other allowed districts.



Attachment(s)

- [Planning Commission Minutes](#) – Click Link to view draft minutes from Website
- Draft Ordinance

Recommended Action

**CITY OF FENNVILLE
ALLEGAN COUNTY, MICHIGAN**

ORDINANCE NO. _____
ADOPTED: _____
EFFECTIVE: _____

An Ordinance to amend the City of Fennville Zoning Ordinance, to repeal all ordinances or parts of ordinances in conflict herewith and to establish the effective date of said Ordinance.

**CITY OF FENNVILLE
ALLEGAN COUNTY, MICHIGAN**

ORDAINS:

SECTION 1

The City of Fennville Zoning Ordinance is here by amended to add the following section:

Section 13.8 Prohibition of Adult Use Marihuana Facilities

Adult Use Marihuana Facilities are prohibited within the Central Business District.

SECTION 2: SEVERABILITY

Should any provision or part of the within Ordinance be declared by any court of competent jurisdiction to be invalid or unenforceable, the same shall not affect the enforceability of the balance of this Ordinance which shall remain in full force and effect.

SECTION 3: REPEAL

All ordinances or parts of ordinances in conflict herewith are hereby repealed.

SECTION 4: EFFECTIVE DATE

This Ordinance shall take effect eight days following publication after adoption.

Amanda Morgan
City Administrator